

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

CITY OF LAS CRUCES and COUNTY OF  
DOÑA ANA,

Plaintiffs,

vs.

Civil No. 2:14-CV-00931-MV-LAM

THE TRAVELERS INDEMNITY  
COMPANY, a Connecticut Corporation; and  
UNITED STATES FIDELITY AND  
GUARANTY COMPANY, a Maryland  
Corporation, SWISS REINSURANCE  
AMERICA CORPORATION, AS  
ADMINISTRATOR OF CERTAIN  
LIABILITIES OF COLONIAL PENN  
INSURANCE COMPANY, and  
THE HARTFORD ACCIDENT &  
INDEMNITY COMPANY, a Connecticut  
Corporation,

Defendants.

**CONSENT ORDER OF DISMISSAL WITH PREJUDICE BETWEEN  
COUNTY OF DOÑA ANA, CITY OF LAS CRUCES AND  
SWISS REINSURANCE AMERICA CORPORATION**

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On consent of the parties, Plaintiffs, County of Doña Ana and City of Las Cruces, and Defendant, Swiss Reinsurance America Corporation ("Swiss Re") as administrator of certain liabilities of Colonial Penn Insurance Company (collectively, the "Parties"), having submitted a Joint Motion to Dismiss Claims With Prejudice, [Doc. 162]. The Court having considered the Motion, HEREBY ORDERS, ADJUDGES AND DECREES as follows:

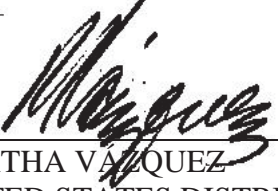
1. Pursuant to Rule 41 of the Federal Rules of Civil Procedure, the Joint Motion is granted.

2. The First Amended Complaint against Swiss Re, along with all other claims and causes of action asserted therein against Swiss Re, or that could have been asserted, by or between the Parties, are dismissed with prejudice.

3. The Court shall retain jurisdiction over the Parties solely for the purpose of enforcing the terms of the Parties' confidential Settlement Agreement.

4. Each Party shall bear its own costs and attorneys' fees.

IT IS SO ORDERED.

  
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MARTHA VAZQUEZ  
UNITED STATES DISTRICT JUDGE

Dated: February 28, 2017

APPROVED AS TO FORM & SUBSTANCE:

COMEAU, MALDEGEN, TEMPLEMAN  
& INDALL, LLP

By: /s/ Stephen J. Lauer

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Electronically Approved September 1, 2016

By: /s/ Kevin Haas with permission

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